UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/930,673	08/14/2001	Mark B. Whipple	020431.0729	3212

7590 02/07/2005	**EXAMINER**
Christopher W. Kennerly, Esq.	PATEL, ASHOKKUMAR B

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ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/930,673	WHIPPLE ET AL.
	Examiner	Art Unit	
	Ashok B. Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/8/02</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   Application Number 9/930, 673 was filed on 08/14/2001. Claims 1-27 are subject

to examination.

Specification

2.   The abstract of the disclosure is objected to because the abstract should be in

narrative form and generally limited to a single paragraph on a separate sheet within the

range of 50 to 150 words. It is important that the abstract not exceed 150 words in

length since the space provided for the abstract on the computer tape used by the

printer is limited. Correction is required. See MPEP § 608.01(b).

3.   The use of the trademark "JAVA" has been noted in the claims 5 and 18 and in this

application. It should be capitalized wherever it appears and be accompanied by the

generic terminology.   Although the use of trademarks is permissible in patent

applications, the proprietary nature of the marks should be respected and every effort

made to prevent their use in any manner which might adversely affect their validity as

trademarks.   It is US PTO policy that the use of trademarks in claims is improper and it

is required that the trademarks or trade names used in the claims be replaced with

equivalent descriptive language to identify a particular claim elements.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed
> publication in this or a foreign country or in public use or on sale in this country, more than one year prior to
> the date of application for patent in the United States.

5.   Claims 1, 3, 4, 6, 7, 10, 14, 16, 17, 19, 20, 23 and 27 are rejected under 35

U.S.C. 102(b) as being anticipated by Page et al. (US 5, 329, 619).

Referring to claim 1,

The reference teaches a computer-implemented system (Fig. 2), comprising:

a request broker (Fig.2, element 14) operable to:

receive a network API request component from a client, the network API request

component comprising a description of a system API method to be called and one or

more parameters to be used in executing the system API method, the parameters

having one of a plurality of acceptable native formats; determine the native format of the

parameters; and (col. 3, lines 31-65, col. 5, lines 39-52);

communicate the parameters in the native format to a selected one of a plurality

of translators for translation of the parameters from the native format to an internal

format, each translator being associated with a different native format (col. 46, lines 59-

67); and

communicate the parameters in the internal format to an application server to

enable execution of the system API method according to the parameters; and the

application server system, operable to receive the parameters from the request broker

in the internal format, generate a return value reflecting execution of the system API

method according to the parameters, and communicate the return value to the request

broker in the internal format (col. 3, lines 31-65, col. 5, lines 39-52);

the request broker further operable to receive the return value from the

application server system in the internal format, communicate the return value in the

internal format to the selected translator for translation of the return value from the

internal format to the native format, generate a network API reply component that

comprises the description of the system API method that was called and the return

value in the native format, and communicate the network API reply component to the

client. (col. 3, lines 31-65, col. 5, lines 39-52, col. 46, lines 59-67);

Referring to claim 3 and 4,

The reference teaches the system of claim 1, wherein the system is a hub system, the

client is located remote from the hub system, and the client comprises at least one of a

remote application, a remote spoke, and a remote hub system, and the system of claim

1, wherein the request broker is a component of an electronic marketplace, the client is

remote from the electronic marketplace, and the client comprises at least one of a

remote enterprise application, a remote spoke, and a remote electronic marketplace.

(Fig. 2, Fig. 3A, Fig. 6, col. 6, lines 19-33)

Referring to claim 6,

The reference teaches the system of claim 1, wherein the system API method is called

using a synchronous method invocation semantic. (col.5, lines 53-61).

Referring to claim 7,

The reference teaches the system of claim 1, wherein the application server system

comprises an application server and a plurality of associated adapters (Fig. 2, col. 47,

lines 66 through col. 48, line 11), the request broker communicating the parameters in

the internal format to a selected one of the plurality of adapters to enable execution of

the system API method according to the parameters, the selected adapter being

operable to (Figs. 8, and 9): receive the parameters from the request broker in the

internal format (col. 48, lines 13-22) ; communicate the parameters to the application

server in the internal format for execution of the system API method according to the

parameters; receive the return value from the application server reflecting execution of

the system API method according to the parameters; and communicate the return value

to the request broker in the internal format. (col. 5, lines 39-52, col. 46, lines 58-67).

Referring to claim 10,

The reference teaches the system of claim 1, wherein the network API reply comprises

a format field describing how to interpret the return value and corresponding to the

selected translator. (col. 46, lines 58-67, Abstract, col. 47, lines 66 through col. 48, line

11).

Referring to claim 14,

Claim 11 is a claim to a computer implemented method that is carried out by the system

of claim 1. Therefore, claim 11 is rejected for the reasons set forth for claim 1.

Referring to claims 16 and 17,

Claims 16 and 17 are claims to computer implemented method that is carried out by the

system of claims 3 and 4. Therefore, claims 16 and 17 are rejected for the reasons set

forth for claims 3 and 4.

Referring to claim 19,

Claim 19 is a claim to a computer implemented method that is carried out by the system

of claim 6. Therefore, claim 19 is rejected for the reasons set forth for claim 6.

Referring to claim 20,

Claim 20 is a claim to a computer implemented method that is carried out by the system

of claim 7. Therefore, claim 20 is rejected for the reasons set forth for claim 7.

Referring to claim 23,

Claim 23 is a claim to a computer implemented method that is carried out by the system

of claim 10. Therefore, claim 23 is rejected for the reasons set forth for claim 10.

Referring to claim 27,

The reference teaches a computer-implemented system, comprising:

means for receiving a network API request component at a request broker from a

client, the network API request component comprising a description of a system API

method to be called and one or more parameters to be used in executing the system

API method, the parameters having one of a plurality of acceptable native formats;

means for determining the native format of the parameters at the request broker; (col. 3,

lines 31-65, col. 5, lines 39-52);

means for communicating the parameters in the native format from the request

broker to a selected one of a plurality of translators for translation of the parameters

from the native format to an internal format, each translator being associated with a

different native format (col.46, lines 59-67);

means for communicating the parameters in the internal format from the request

broker to an application server system to enable execution of the system API method

according to the parameters; means for receiving a return value from the application

server system at the request broker reflecting execution of the system API method

according to the parameters (col.3, lines 31-65, col. 5, lines 39-52);

means for communicating the return value in the internal format from the request

broker to the selected translator for translation of the return value from the internal

format to the native format; means for generating a network API reply component at the

request broker comprising the description of the system API method that was called and

the return value in the native format; and means for communicating the network API

reply component from the request broker to the client (col. 3, lines 31-65, col. 5, lines

39-52, col. 46, lines 59-67);

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 2 ,13, 15 and 26 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Page et al. (hereinafter Page) (US 5, 329, 619) in view of White, Jr.

(hereinafter White) (US 2002/0023037 A1).

Referring to claims 2 and 13,

Keeping in mind the teachings of the reference Page as stated above, the reference

fails to teach wherein: the request broker is implemented as a servlet operating at a

Secure Hypertext Transport Protocol (HTTPS) web server; and the network API request

and network API reply components comprise Multi-purpose Internet Mail Extension

(MIME) containers communicated over the Internet in HTTPS messages and further

comprising a system firewall having a plurality of ports, the system maintaining at least

one port of the system firewall open for communication with the client, the client initiating a connection to the system through the at least one open port of the system firewall to communicate the network API request component to the request broker, independent of any port of a client firewall being open for communication with the system. The reference White teaches "securely communicating with a server program using a secure hypertext transfer protocol, the method comprising: (a) configuring the https server program so that it listens for requests for secure hypertext transfer protocol sessions on port 80 rather than port 443; (b) receiving at the server program on port 80 a first data packet in a manner that is consistent with the secure hypertext transfer protocol, except that the request is received on port 80 rather than port 443; and (c) outputting from the server program a response to the first data packet in a manner that is consistent with the secure hypertext transfer protocol, except that the request was received on port 80 rather than port 443.", page 2, para.[0017]. Thereby the reference teaches the claimed elements. Communicating MIME containers is well known in art wherein MIME is part of HTTP, and both Web browsers and HTTP servers. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to incorporate the teachings of the reference White into Page's service broker such that an entire https session can take place, mediated by port 80, and thus is permitted to be established and carried out even if the user (client) is located on a system having a firewall that blocks port 443 as taught by White.

Referring to claims 15 and 26,

Claims 15 and 26 are claims to computer implemented method that is carried out by the system of claims 2 and 13. Therefore, claims 15 and 26 are rejected for the reasons set forth for claims 2 and 13.

8.   Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page et al. (hereinafter Page) (US 5, 329, 619) in view of Cooper et al. (hereinafter Cooper) (US 2003/0121000 A1).

Referring to claim 5,

Keeping in mind the teachings of the reference Page as stated above, the reference fails to explicitly teach wherein: the plurality of acceptable native formats comprises Extensible Markup Language (XML), Electronic Data Interchange (EDI), and JAVA formats; and the internal format comprises JAVA format, the parameters being converted into JAVA classes by the selected translator. The reference Cooper teaches these elements in paragraphs [0043], [0045], [0071]-[0073]. Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to incorporate the teachings of the reference Cooper into Page's service broker such that it would be useful to have a method for adapting well-known APIs in some manner for use as a Web-based page description language. It would be particularly advantageous for the method to provide the ability to produce documents that conform with evolving markup language processing standards as taught by Cooper.

Referring to claim 18,

Claim 18 is a claim to a computer implemented method that is carried out by the system

of claim 5. Therefore, claim 18 is rejected for the reasons set forth for claim 5.

9.   Claims 8 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Page et al. (hereinafter Page) (US 5, 329, 619) in view of Gervais et al. (hereinafter

Gervais) (US 6, 381, 579).

Referring to claim 8,

The reference Page teaches "A client program can be a transaction under such

environments as COMPLETE, CICS, IMS/DC, TSO, or CMS (IBM) or TIAM or UTM

(Siemens) (col.5, lines 7-9), however, the reference fails to explicitly teach the system of

claim 1, wherein the application server system supports one or more applications

comprising at least a collaborative planning application operable to provide planning

data for one or more clients within a supply chain. The reference Gervais "Provide an

electronic-business-to-electronic-business portal that organizes the access to extended

business applications. A method allows end users to access a server using standard

Web browsers, and then view their own customized menu of applications. Enhanced

security and administrative tools allow this portal to be shared throughout enterprises

and across supply chains, providing secure access to collaborative applications by

business partners and suppliers. (Abstract). Thereby the reference teaches the

application server system supports one or more applications comprising at least a

collaborative planning application operable to provide planning data for one or more

clients within a supply chain. Therefore, it would have been obvious to one having

ordinary skill in the art at the time of invention was made to incorporate the teachings of

the reference Gervais into Page's service broker such that it provides a common infrastructure for application administration, security management, and directory use, which can help reduce information technology (IT) costs and speed solution deployment as taught by Gervais. (Abstract).

Referring to claim 21,

Claim 21 is a claim to a computer implemented method that is carried out by the system of claim 8. Therefore, claim 21 is rejected for the reasons set forth for claim 8.

10.   Claims 9, 11, 12, 22, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Page et al. (hereinafter Page) (US 5, 329, 619) in view of Lam et al. (hereinafter Lam) (US 5, 926, 636).

Referring to claims 9, 11 and 12,

Keeping in mind the teachings of the reference Page as stated above, the reference fails to teach wherein the network API request component and network API reply component each comprise a version identifier indicating the version of the network API request component and network API reply component being used, and wherein the network API reply comprises a deprecation notice indicating to the client that the system API method that was called should not be further used, and wherein the request broker is further operable to generate a network API exception component based on an exception occurring in connection with execution of a second system API method called based on a network API request component received from a second client, the network API exception component comprising a description of the second system API method, a description of the exception, and a deprecation notice indicating to the second client

that the second system API method should not be further used.   The reference Lam teaches "the network API request component and network API reply component each comprise a version identifier indicating the version of the network API request component and network API reply component being used. (Abstract).   The reference also teaches wherein the network API reply comprises a deprecation notice indicating to the client that the system API method that was called should not be further used, and wherein the request broker is further operable to generate a network API exception component based on an exception occurring in connection with execution of a second system API method called based on a network API request component received from a second client, the network API exception component comprising a description of the second system API method, a description of the exception, and a deprecation notice indicating to the second client that the second system API method should not be further used. (Abstract, col. 8, lines 4-17). Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to incorporate the teachings of the reference Lam into Page's service broker such that the server component management application programming interface reads a field in the message to determine whether an addressing format of the client computer is compatible with an addressing format of the server computer. If the addressing formats are not compatible, the server component management application programming interface converts the message to an addressing format compatible with the server computer.

Referring to claims 22, 24 and 25,

Claims 22, 24 and 25 are claims to computer implemented method that is carried out by

the system of claims 9, 11 and 12. Therefore, claims 22, 24 and 25 are rejected for the

reasons set forth for claims 9, 11 and 12.

Conclusion

Examiner's note: Examiner has cited particular columns and line numbers in the

references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are

applied to the specific limitations within the individual claim, other passages and figures

may apply as well. It is respectfully requested from the applicant in preparing responses,

to fully consider the references in entirety as potentially teaching all or part of the

claimed invention, as well as the context of the passage as taught by the prior art or

disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-

3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John A Follansbee can be reached on (571) 272-3964. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

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Business Center (EBC) at 866-217-9197 (toll-free).

Abp
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